REMARKS

This application has been amended in a manner that is believed to place it in condition for allowance at the time of the next Official Action.

Claims 1-8, 11-14 and 16-19 are pending in the present application. Claims 1, 12 and 16 have been amended to incorporate the recitations of claim 10. Claim 10 recited that the inhalable medicament comprises O_2 and N_2O. As claims 1, 12 and 16 already recite that the inhalable medicament comprises O_2, this term has been deleted from dependent claims 5 and 13. Claim 10 has been cancelled.

In the outstanding Official Action, claims 1-8, 10-14 and 16-19 were rejected as allegedly being anticipated by KELLER et al. Applicants believe that the present amendment obviates this rejection.

KELLER et al. disclose a pressure-liquefied propellant mixture for aerosols, comprising dinitrogen monoxide and a hydrofluoroalkane having 1 to 3 carbon atoms, and in particular comprising 1,1,1,2-tetrafluoroethane and/or 1,1,1,2,3,3,3-heptafluoropropane.

KELLER et al. further disclose that with dinitrogen monoxide, it is possible to influence the pressure and the particle size distribution of the propellant mixture. The propellant mixtures and aerosol formulations according to the invention preferably contain dinitrogen monoxide. If desired, the

propellant mixtures and aerosol formulations can additionally contain a small amount of carbon dioxide. The content of dinitrogen monoxide and carbon dioxide is dependent, inter alia, on the pressure desired, the nature of the hydrofluoroalkanes used and the nature and amount of possible further propellants and co-solvents and the like (Col. 7, lines 48-57).

While KELLER et al. teach that carbon dioxide may be added to a propellant mixture; KELLER et al. clearly do not teach nor suggest that oxygen can be added to an inhalable medicament. This stands in contrast to the claimed invention.

The claimed invention is directed to a method for manufacturing an inhalable medicament or part of an inhalable medicament for the treatment or prevention of pain in humans or animals, comprising combining O_2 and gaseous nitrogen protoxide (N_2O) with at least one active product selected from the group consisting of paracetamol, acetylsalicylic acid, arylcarboxylic acid, corticosteroids, mineralosteroids, non-steroidal anti-inflammatory drugs and their derivatives, codeine and its derivatives, morphine, and morphine mimetics.

Indeed, KELLER et al. teach that by displacing oxygen from the hydrofluoroalkanes, one can improve the storage stability of oxidation-sensitive active compounds. As a result, applicants believe that KELLER et al. actually teach away from the claimed invention.

Thus, in view of the above, applicants believe that KELLER et al. fails anticipate or render obvious the claimed invention.

In view of the present amendment and the foregoing remarks, therefore, applicants believe that the present application is now in condition for allowance at the time of the next Official Action. Allowance and passage on this basis is respectfully requested.

Respectfully submitted,

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